

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

**NOLLE PROSEQUI**

HYUNG G. LIM, :

S3 12 Cr. 121 (RJS)

Defendant. :

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1. The filing of this *nolle prosequi* will dispose of this case with respect to the defendant Hyung G. Lim.

2. On September 3, 2012, superseding Information S3 12 Cr. 121 was filed, charging defendant Hyung G. Lim with one count of conspiracy to commit securities fraud in violation of Title 18, United States Code, Section 371; and one count of wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2. On that same day, Lim pled guilty to the two counts charged against him in the superseding Information. The defendant has not been sentenced.

3. Based on legal developments subsequent to the defendant's guilty plea, the Government has concluded that further prosecution of Hyung G. Lim would not be in the interests of justice.

4. In light of the foregoing, we recommend that an order of *nolle prosequi* be

filed as to defendant Hyung G. Lim with respect to Information S3 12 Cr. 121 (RJS).

/s/ Harry A. Chernoff

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HARRY A. CHERNOFF  
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Assistant United States Attorneys  
(212) 637-2481/1033

Dated: New York, New York  
October 22, 2015

Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of *nolle prosequi* be filed as to defendant Hyung G. Lim with respect to Information S3 12 Cr. 121 (RJS).

/s/ Preet Bharara

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PREET BHARARA  
United States Attorney  
Southern District of New York

Dated: New York, New York  
October 22, 2015

SO ORDERED:

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HON. RICHARD J. SULLIVAN  
United States District Judge  
Southern District of New York

Dated: New York, New York  
October \_\_\_, 2015